



Economic Affairs Interim Committee

67th Montana Legislature

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HJ48 Stakeholder Discussion

Questions for Department of Justice / Law Enforcement Officers

Facial recognition technology can be used two ways:

- Facial verification – the process of comparing an image or facial biometric data to an image database (i.e., "one-to-one matching")
 - Facial identification – the process of using a computer system to compare the image or facial biometric data of an unknown individual to a database of images of known individuals (i.e., "one-to-many matching")
1. Of the two methods listed above, how are you currently using facial recognition technology and how long has it been in use?
 2. What alternatives do you have to performing your role without facial recognition technology?
 3. Please comment generally on the limitations imposed by the proposed bill:
 - a. Limitations on types of crimes that can be investigated using facial recognition technology, and
 - b. Getting a warrant first
 4. How does your agency/department feel about the above two thresholds/limitations?
 5. If these thresholds/limitations were in the law, would you be able to easily comply?
 6. What would be the difficulties when complying with these limitations?
 7. A list of crimes has been provided that include offenses against the person – please comment on what additional crimes you would want to be included.
 8. What concerns do you have?

9. If a bi-partisan committee bill were to emerge, what amendments would you want to see on the bill?

10. How would a moratorium impact your current operations?

11. How would a moratorium impact your future operations?

(12) "Serious crime" means:

(a) A crime under the laws of this state that is a violation of 45-5-102, 45-5-103, 45-5-104, 45-5-106, 45-5-202, 45-5-210, 45-5-212, 45-5-213, 45-5-220, 45-5-302, 45-5-303, 45-5-503, 45-5-508, 45-5-625, 45-5-627, 45-5-628, 45-5-702, 45-5-704, or 45-5-705; or

(b) A crime under the laws of another jurisdiction that is substantially similar to a crime under subsection

(a).

Crimes: Offenses Against the Person

45-5-102: Deliberate homicide

45-5-303: Aggravated kidnapping

45-5-103: Mitigated deliberate homicide

45-5-503: Sexual intercourse without consent

45-5-104: Negligent homicide

45-5-508: Aggravated sexual intercourse without consent

45-5-106: Vehicular homicide while under the influence

45-5-625: Sexual abuse of children

45-5-202: Aggravated assault

45-5-627: Ritual abuse of minor

45-5-210: Assault on peace officer or judicial officer

45-5-628: Criminal child endangerment

45-5-212: Assault on minor

45-5-702: Trafficking of persons

45-5-213: Assault with weapon

45-5-704: Sexual servitude

45-5-220: Stalking

45-5-705: Patronizing victim of sexual servitude

45-5-302: Kidnapping